

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : 09 Cr. 476 (FSH)

v. : CONTINUANCE ORDER

DIONICIO RAFAEL CRUZ VALERIO : :

This matter having been opened to the Court by defendant Dionicio Rafael Cruz Valerio (Joseph R. Donahue, Esq., appearing), and Paul J. Fishman, United States Attorney for the District of New Jersey (Anthony J. Mahajan, Assistant U.S. Attorney, appearing) for an order granting an initial continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter tried within seventy days of the filing date of the Indictment, pursuant to Title 18 of the United States Code, Section 3161(c), and the defendant having waived such right, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are in progress. The successful completion of such negotiations may render trial of this matter unnecessary.
2. Defendant has consented to the aforementioned continuance.
3. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, it is on this 10th day of November 2009,
ORDERED that the proceedings in the above-captioned matter are continued from October 2, 2009, through December 2, 2009;

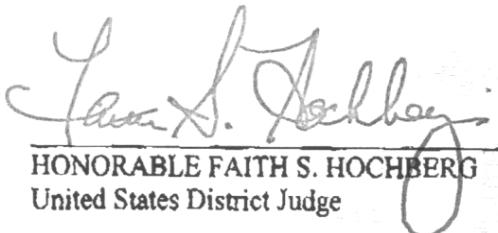
IT IS FURTHER ORDERED that the period between October 2, 2009, through December 2, 2009, shall be excludable in computing time under the Speedy Trial Act of 1974;

IT IS FURTHER ORDERED that if the defendant intends to file motions, his motions shall be filed no later than December 21, 2009.

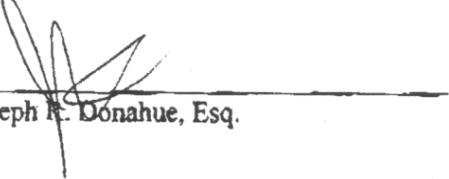
IT IS FURTHER ORDERED that any opposition by the Government to defendant's motions shall be filed no later than December 11, 2009.

IT IS FURTHER ORDERED that any reply by the defendant to the Government's opposition shall be filed no later than December 18, 2009.

IT IS FURTHER ORDERED that the trial in this matter will commence on January 19, 2010.


HONORABLE FAITH S. HOCHBERG
United States District Judge

Requested and Agreed to by:


Joseph R. Donahue, Esq.


Anthony J. Mahajan, AUSA